FARAD CONTINUATION SHEET

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

FAMILY COURT APPEAL (ST.) NO. 19482 OF 2004.

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions & Registrar's orders.	Court's or Judge's Order

CORAM: F.I. REBELLO &
ANOOP V. MOHTA, JJ.

DATE : 10/08/2004.

1. Admit.

2. By consent, heard with Civil Application No. 126 of 2004. Considering the observation made by us while condoning the delay in preferring this Appeal, the ends of justice would be met if the matter is remitted to the Family Court for reconsideration only on the point of maintenance as claimed by the appellant herein. It will be open to both the parties, if so advised, to lead additional

evidence on the point of maintenance. Moreso, considering that the present Appeal has been preferred by the Appellant pursuant to she being given legal assistance by this Court.

3. The Family Court, if either of the parties desire to lead evidence on the point of maintenance, should so permit and thereafter to pass appropriate orders according to law within four months from today, uninfluenced by any observation that we may have made while disposing of the application for condonation of delay. In the light of that, Appeal partly allowed. The matter is remitted back to the Family Court only on the point of consideration of maintenance, as claimed by the appellant which should be disposed of within four months from today. The decree for divorce is confirmed.

4. All parties to act on an ordinary copy of this order, authenticated by the Associate of this Court.

5. Certified copy expedited.

[F.I. REBELLO, J.]

[ANOOP V. MOHTA, J.]